IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 16689 of 2007(J)

RCA.16/2007 OF APPELLATE AUTHORITY(DISTRICT COURT), TRIVANDRUM
RCP.6/2001 OF RENT CONTROL COURT,ATTINGAL
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PETITIONER:

SUDHAKARAN, AGED 48,
S/O.APPUKUTTAN, RESIDING AT THEJAS,
KARICHAYIL, CHITTATTINKARA DESOM,
AVANAVANCHERRY VILLAGE, ATTINGAL,
THIRUVANANTHAPURAM.

BY ADV. SRI.A.B.MOHANAKUMAR

RESPONDENTS:
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1. GOPALAKRISHNAN NAIR, AGED 56 YEARS,
S/O.RAGHAVAN PILLAI, RAGHAVA BHAVAN,
KOLAYIL, CHITTATTINKARA DESOM,
ATTINGAL VILLAGE, THIRUVANANTHAPURAM.

***2. VASANTHAKUMARI AMMA, W/O. GOPALAKRISHNAN NAIR,**
RESIDING AT RAGHAVA BHAVAN, KARICHAYIL, CHITTATTINKARA
DESOM, ATTINGAL VILLAGE, ATTINGAL P.O., THIRUVANANTHAPLURAM.

3. SIVA PRASAD, S/O. GOPALAKRISHNAN NAIR, RESIDING AT -DO-

4. PRAMEELA, D/O. GOPALAKRISHNAN NAIR, RESIDING AT -DO-

5. PRADEEP, S/O. GOPALAKRISHNAN NAIR, RESIDING AT -DO-

***ADDL. R2 TO R5 ARE IMPLEADED AS THE LEGAL HEIRS OF THE DECEASED FIRST RESPONDENT AS PER ORDER DATED 27/06/2007 IN IA NO. 8650/2007.**

BY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 16689/2007 J

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE EXECUTED BY THE RESPONDENT IN FAVOUR OF THE PETITIONER'S WIFE.

EXT.P2. COPY OF THE APPEAL MEMORANDUM IN RCA NO. 16/07 FILED BY THE PETITIONER BEFORE THE APPELLATE AUTHORITY, TRIVANDRUM.

EXT.P3. COPY OF THE STAY PETITION MOVED BY THE PETITIONER IN RCA NO. 16/2007 BEFORE THE APPELLATE AUTHORITY, TRIVANDRUM.

EXT.P4. COPY OF THE 37/2007 FILED BY THE PETITIONER IN EP NO. 53/2066, BEFORE THE MUNSIFF COURT, ATTINGAL.

True copy

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J.B.KOSHY & K.P.BALACHANDRAN, JJ.

W.P.(C)No.16689 OF 2007

Dated 27th June, 2007

JUDGMENT

Koshy,J.

The respondent died in 2004. The affidavit filed along with the impleading petition shows that the petitioner knew that the respondent died on 28.04.2004. According to him, by inadvertence he omitted to mention that fact to the advocate at the time of filing this writ petition. By making a dead person in the party array an interim stay was obtained by the petitioner on 31.5.2007. The writ petition is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

tks